



Practitioner's Docket No. **MPI00-513P1RM (previously 10147-57U1)**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Kapeller-Libermann, Rosana  
Application No.: 10/017,216 Group No.: 1652  
Filed: October 23, 2001 Examiner: Maryam Montshipouri  
For: 13245, A NOVEL HUMAN MYOTONIC DYSTROPHY TYPE PROTEIN  
KINASE AND USES THEREFOR

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

Responsive to the Restriction Requirement dated May 19, 2004, the claims of Group I (claims 1-7, 12 and 18), drawn to isolated DNA molecules encoding an ATM related kinase (ATX), vectors, kits and host cells comprising said molecules, are elected for prosecution without traverse.

Applicants hereby reserve the right to traverse the above restriction with respect to non-elected Groups II-VII in this or subsequent applications.

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. SECTION 1.10\***

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Diana Gentile

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Date: June 9, 2004

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This paper is being filed timely as no extensions of time are required. In the event any extensions of time are necessary, the undersigned hereby authorizes the requisite fees to be charged to Deposit Account No. 501668.

Entry of the remarks made herein is respectfully requested.

June 9, 2004

Respectfully submitted,

MILLENNIUM PHARMACEUTICALS, INC.

By

Mario Cloutier  
Mario Cloutier

Limited Recognition Under 37 C.F.R. §10.9(b)

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